

103D CONGRESS
1ST SESSION

H. R. 3354

AN ACT

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing and implementing residential substance abuse treatment programs within State correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment.

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RESIDENTIAL SUBSTANCE ABUSE TREATMENT**
4 **FOR STATE PRISONERS.**

5 (a) RESIDENTIAL SUBSTANCE ABUSE TREATMENT
6 FOR PRISONERS.—Title I of the Omnibus Crime Control
7 and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.),
8 is amended—

9 (1) by redesignating part Q as part R;

10 (2) by redesignating section 1701 as section
11 1801; and

12 (3) by inserting after part P the following:

1 **“PART Q—RESIDENTIAL SUBSTANCE ABUSE**

2 **TREATMENT FOR STATE PRISONERS**

3 **“SEC. 1701. GRANT AUTHORIZATION.**

4 “The Director of the Bureau of Justice Assistance
5 (referred to in this part as the ‘Director’) may make
6 grants under this part to States, for the use by States
7 and units of local government for the purpose of develop-
8 ing and implementing residential substance abuse treat-
9 ment programs within State correctional facilities, as well
10 as within local correctional facilities in which inmates are
11 incarcerated for a period of time sufficient to permit sub-
12 stance abuse treatment.

13 **“SEC. 1702. STATE APPLICATIONS.**

14 “(a) IN GENERAL.—(1) To request a grant under
15 this part the chief executive of a State shall submit an
16 application to the Director in such form and containing
17 such information as the Director may reasonably require.

18 “(2) Such application shall include assurances that
19 Federal funds received under this part shall be used to
20 supplement, not supplant, non-Federal funds that would
21 otherwise be available for activities funded under this part.

22 “(3) Such application shall coordinate the design and
23 implementation of treatment programs between State cor-
24 rectional representatives and the State Alcohol and Drug
25 Abuse agency (and, if appropriate, between representa-
26 tives of local correctional agencies and representatives of

1 either the State alcohol and drug abuse agency or any ap-
2 propriate local alcohol and drug abuse agency).

3 “(b) SUBSTANCE ABUSE TESTING REQUIREMENT.—
4 To be eligible to receive funds under this part, a State
5 must agree to implement or continue to require urinalysis
6 or similar testing of individuals in correctional residential
7 substance abuse treatment programs. Such testing shall
8 include individuals released from residential substance
9 abuse treatment programs who remain in the custody of
10 the State.

11 “(c) ELIGIBILITY FOR PREFERENCE WITH AFTER
12 CARE COMPONENT.—

13 “(1) To be eligible for a preference under this
14 part, a State must ensure that individuals who par-
15 ticipate in the substance abuse treatment program
16 established or implemented with assistance provided
17 under this part will be provided with aftercare serv-
18 ices.

19 “(2) State aftercare services must involve the
20 coordination of the correctional facility treatment
21 program with other human service and rehabilitation
22 programs, such as educational and job training pro-
23 grams, parole supervision programs, half-way house
24 programs, and participation in self-help and peer
25 group programs, that may aid in the rehabilitation

1 of individuals in the substance abuse treatment pro-
2 gram.

3 “(3) To qualify as an aftercare program, the
4 head of the substance abuse treatment program, in
5 conjunction with State and local authorities and or-
6 ganizations involved in substance abuse treatment,
7 shall assist in placement of substance abuse treat-
8 ment program participants with appropriate commu-
9 nity substance abuse treatment facilities when such
10 individuals leave the correctional facility at the end
11 of a sentence or on parole.

12 “(d) STATE OFFICE.—The Office designated under
13 section 507 of this title—

14 “(1) shall prepare the application as required
15 under section 1702, and

16 “(2) shall administer grant funds received
17 under this part, including review of spending, proc-
18 essing, progress, financial reporting, technical assist-
19 ance, grant adjustments, accounting, auditing, and
20 fund disbursement.

21 **“SEC. 1703. REVIEW OF STATE APPLICATIONS.**

22 “(a) IN GENERAL.—The Director shall make a grant
23 under section 1701 to carry out the projects described in
24 the application submitted under section 1702 upon deter-
25 mining that—

1 “(1) the application is consistent with the re-
2 quirements of this part; and

3 “(2) before the approval of the application the
4 Director has made an affirmative finding in writing
5 that the proposed project has been reviewed in ac-
6 cordance with this part.

7 “(b) APPROVAL.—Each application submitted under
8 section 1702 shall be considered approved, in whole or in
9 part, by the Director not later than 45 days after first
10 received unless the Director informs the applicant of spe-
11 cific reasons for disapproval.

12 “(c) RESTRICTION.—Grant funds received under this
13 part shall not be used for land acquisition or construction
14 projects.

15 “(d) DISAPPROVAL NOTICE AND RECONSIDER-
16 ATION.—The Director shall not disapprove any application
17 without first affording the applicant reasonable notice and
18 an opportunity for reconsideration.

19 **“SEC. 1704. ALLOCATION AND DISTRIBUTION OF FUNDS.**

20 “(a) ALLOCATION.—Of the total amount appro-
21 priated under this part in any fiscal year—

22 “(1) 0.4 percent shall be allocated to each of
23 the participating States; and

24 “(2) of the total funds remaining after the allo-
25 cation under paragraph (1), there shall be allocated

1 to each of the participating States an amount which
 2 bears the same ratio to the amount of remaining
 3 funds described in this paragraph as the State pris-
 4 on population of such State bears to the total prison
 5 population of all the participating States.

6 “(b) FEDERAL SHARE.—The Federal share of a
 7 grant made under this part may not exceed 75 percent
 8 of the total costs of the projects described in the applica-
 9 tion submitted under section 1702 for the fiscal year for
 10 which the projects receive assistance under this part.

11 **“SEC. 1705. EVALUATION.**

12 “Each State that receives a grant under this part
 13 shall submit to the Director an evaluation not later than
 14 March 1 of each year in such form and containing such
 15 information as the Director may reasonably require.”.

16 (b) CONFORMING AMENDMENT.—The table of con-
 17 tents of title I of the Omnibus Crime Control and Safe
 18 Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended
 19 by striking the matter relating to part Q and inserting
 20 the following:

“PART Q—RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR PRISONERS

“Sec. 1701. Grant authorization.

“Sec. 1702. State applications.

“Sec. 1703. Review of State applications.

“Sec. 1704. Allocation and distribution of funds.

“Sec. 1705. Evaluation.

“PART R—TRANSITION—EFFECTIVE DATE—REPEALER

“Sec. 1801. Continuation of rules, authorities, and proceedings.”.

1 (c) DEFINITIONS.—Section 901(a) of the Omnibus
2 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
3 3791(a)) is amended by adding after paragraph (23) the
4 following:

5 “(24) The term ‘residential substance abuse
6 treatment program’ means a course of individual
7 and group activities, lasting between 9 and 12
8 months, in residential treatment facilities set apart
9 from the general prison population—

10 “(A) directed at the substance abuse prob-
11 lems of the prisoner; and

12 “(B) intended to develop the prisoner’s
13 cognitive, behavioral, social, vocational, and
14 other skills so as to solve the prisoner’s sub-
15 stance abuse and related problems.”.

16 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 1001(a) of title I of the Omnibus Crime Con-
18 trol and Safe Streets Act of 1968 (42 U.S.C. 3793), is
19 amended by adding after paragraph (10) the following:

1 “(11) There are authorized to be appropriated
2 \$100,000,000 for each of the fiscal years 1994, 1995, and
3 1996 to carry out the projects under part Q.”.

Passed the House of Representatives November 3,
1993.

Attest:

Clerk.